IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 15763 of 2007(B)

PETITIONER:

T.Y.LUKOSE, S/O.YOHANNAN,
ADVOCATE, VARADA, BHARATHIPURAM P.O.,
VIA YEROOR, PATHANAPURAM TALUK, KOLLAM DISTRICT.

BY ADV. SRI.P.SANTHALINGAM
SRI.S.SHARAN

RESPONDENTS:

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1. ANI, S/O.NABEESA BEEVI,
BABA SAHIB NAGAR, 324(207),
PATHANAPURAM, KARAMOOD VILLAGE, KOLLAM DISTRICT.

2. CIRCLE INSPECTOR OF POLICE,
KULATHURPUZHA, KOLLAM DISTRICT.

3. SUB INSPECTOR OF POLICE,
KULATHURPUZHA POLICE STATION,
KOLLAM DISTRICT.

4. THE ASST.EXCISE COMMISSIONER,
KOLLAM.

5. THE SECRETARY,
KULATHUR GRAMA PANCHAYAT,
KOLLAM DISTRICT.

BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C) No. 15763 of 2007

Dated this the 25th May, 2007.

J U D G M E N T

Admittedly, the first respondent was permitted to start the toddy shop at the present location, pursuant to orders of this Court, in W.P.(C) No.29471/2006. Re-starting of the toddy shop in the same location is sought to be challenged by the petitioner in this writ petition. Since the re-starting of the toddy shop in the said location is as per orders of this Court, in the above said writ petition, the appropriate remedy for the petitioner is either to file a review petition or an writ appeal, against the judgment in W.P.(C) No.29471/2006, with leave, although the counsel for the petitioner would contend that he was not a party to that writ petition.

In the above circumstances, without prejudice to the right of the petitioner to seek such remedy, this writ petition is dismissed.

S. SIRI JAGAN,
JUDGE

nj.